

ARTICLE APPEARED
ON PAGE **A5**

THE BALTIMORE SUN
13 March 1981

Reagan's anti-terrorism stance spurs moves to relax CIA curbs

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Washington—The Reagan administration's professed commitment to combating terrorism has spurred the Central Intelligence Agency to seek broader authority to conduct operations in this country.

"There are immense pressures on the loose now to relax the restrictions that were put on the CIA several years ago," Representative Don Edwards (D, Calif.) said yesterday after reviewing a draft of proposed new standards for CIA operations.

"It's something we face whenever you have outfits like the Heritage Foundation and conservative Republicans gaining influence in this town," Mr. Edwards added.

However, Adm. Bobby R. Inman, the deputy director of central intelligence, insists he personally is opposed to "sweeping changes" that would remove the restraints placed on the CIA in the wake of abuses revealed during the Watergate scandal of the early 1970s.

The Senate's Select Committee on Intelligence, headed by Senator Barry M. Goldwater (R, Ariz.), an outspoken advocate of strong measures for internal security, is scheduled to convene today to review a controversial set of CIA operational guidelines that include some of the "sweeping changes" Admiral Inman says he opposes.

The new guidelines were drafted by Dan Silvers, legal counsel for the CIA, as an executive order which, if signed by Mr. Reagan, would supercede prior orders issued by Presidents Carter and Ford.

The executive orders issued by Mr. Reagan's predecessors were drawn up by former Attorneys General Edward H. Levi and Griffin B. Bell and generally tightened controls on all domestic security operations by both the Federal Bureau of Investigation and the Central Intelligence Agency.

The strongest measure of these orders was a requirement that the attorney general personally take responsibility for approving any covert operations, including telephone wire taps, that affected American citizens in the United States.

The executive order drafted by Mr. Silvers and obtained by several members of the House and Senate intelligence committees greatly diminishes the role of the attorney general in reviewing and approving domestic spying operations in general and CIA activities in particular.

The draft, which a CIA spokesman says was intended as a "working paper" for the White House and members of the intelligence committees, permits the CIA to conduct electronic surveillance in the United States under certain circumstances without personal approval by the attorney general, gives greater latitude to the methods the agency may use in conducting its operations and relaxes the responsibility intelligence officers now have to report violations of law to the Justice Department.

Specifically, the CIA wants to be able to use electronic surveillance for training of personnel, testing of equipment and detection of counter-intelligence measures without approval of the attorney general.

However, the draft suggests that if useful information is learned in the testing, training or detection operations it should be circulated as if obtained in the normal course of a legitimate investigation.

The critical differences between existing procedures and those advanced in the document prepared at the CIA are in subtle language changes regarding the scope of responsibility vested in the attorney general to protect the interests of individual citizens against unlawful snooping.

The existing executive order regarding domestic surveillance, issued by President Carter in January, 1978, says procedures established under the order must be "approved" by the attorney general. The draft prepared at the CIA says that such procedures must merely be "determined . . . not to violate the Constitution"—but specific approval for their use is not required.

The same section of the CIA document gives the attorney general authority to approve surveillance techniques "by category" or to "delegate authority" to the head of an intelligence agency for the use of a particular technique such as a covert burglary entry of private premises, a wire tap, or the opening of mail.

Under the existing executive order issued by Mr. Carter, each specific technique of surveillance must personally be reviewed and approved by the attorney general and he may not delegate his authority.

Commenting on the differences found in the CIA document and standing practices since the Ford administration, Representative Edwards, a former FBI agent who has closely followed the issue of domestic surveillance, said, "All these proposed changes would seriously undermine the rule of law that is the basis of our democratic society."

Neither CIA Director William J. Casey nor William H. Webster, director of the FBI, has commented directly upon the document prepared at the CIA that has caused concern on the part of Mr. Edwards.

However, at an informal meeting last November with reporters, Mr. Webster said he saw no need for any major changes in the guidelines relating to the bureau's domestic intelligence operation that were put into effect five years ago by former Attorney General Levi.

Mr. Casey's position is less clear. During his confirmation hearings for the job as head of the CIA, he was questioned a number of times about the need to loosen restrictions on the agency in view of the growing threat of international terrorism.

He said at that time he was open to review of the existing restraints but had no firm plan to revise them. Since his confirmation, however, sources in Congress say Mr. Casey has been under considerable pressure to shed some of the restrictions under which the CIA now operates.